WPSS 1703 of 2007

Hon'ble M.M. Ghildiyal, J.

Heard Sri P.C. Jhingan, learned counsel for the petitioner and Sri N.P. Shah, learned Standing Counsel for State of Uttarakhand for the respondents.

By means of this petition, petitioner has prayed for the following reliefs:-

1. Issue a writ, direction or order in the nature of mandamus commanding the respondents to pay the minimum wages fixed by G.O. dated 18.10.2005 (Annexure No. 2), communicated through letter of respondents no. 2.

2. Issue a writ order of direction in the nature of mandamus commanding the respondents to make payment of arrears of difference of minimum wage fixed by G.O. dated 18.10.2005 and the wages already paid to the petitioners.

3. Issue any other order or direction, which is deemed fit and proper under the facts and circumstances of the case in favor of the petitioners.

4. Award cost of the writ petition to the petitioner.

Learned counsel for the petitioner has submitted that by order dated 24.08.207, the Principal Chief Conservator of Forest, Dehradun has revised the wages of daily wage employees in the department and as per the aforesaid order, the wages have been fixed at Rs. 3134/- per month, whereas the petitioner is being paid at the rate of Rs. 2190/- per month. During the course of argument, learned counsel for the petitioner has submitted that petitioner may be permitted to make representation before the respondents for paying the wages as per the aforesaid order.

Considering the circumstances, petitioner is directed to make a fresh representation, raising all his grievances, within a period of three weeks from today before the competent authority, who has to pay minimum wages to the petitioner and the respondent authority is expected to make payment of wages as per the order of Principal Chief Conservator of Forest, Dehradun dated 24.08.2007, in case the petitioner comes under the category for which the minimum wages has been fixed at Rs. 3134/- by the aforesaid order.

With this direction, the writ petition is finally disposed of. All the pending applications stand disposed of.

(M.M.G., J.)

29.11.2007

VKS